

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

KYLE DAMOND JONES,  
Plaintiff,

VS.

TARRANT COUNTY COLLEGE  
DISTRICT, et al.,

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§

CIVIL NO. 4:22-CV-281-P

**ORDER RECOMMENDING DISMISSAL  
AND RETURNING CASE TO DISTRICT JUDGE**

The above-styled and numbered cause of action was filed on April 8, 2022, by *pro se* Plaintiff Kyle Damond Jones (“Jones”). Jones was granted permission to proceed *in forma pauperis* on April 11, 2022 [doc. 6]. On August 2, 2022, the Court issued an Order [doc. 10] instructing Jones, should he desire to pursue his claims against the Defendants, to file, no later than August 16, 2022, an instrument in affidavit form providing the United States Marshal with proper location for service of Defendants Tarrant County College District, Carol Bracken, Eugene Giovannini, Peter Fiannaca, Angela Shindoll, and TCDD. The Order [doc. 10] also provided that, should Plaintiff fail to comply, the Court will recommend dismissal of the action against all Defendants. As of the date of this Order, Jones has failed to file an instrument in affidavit form providing the United States Marshal with a location for service of the Defendants.

Consequently, the Court **RECOMMENDS** that the above-styled and numbered cause be **DISMISSED** for failing to comply with the Court’s Orders.

**NOTICE OF RIGHT TO OBJECT TO PROPOSED  
FINDINGS, CONCLUSIONS AND RECOMMENDATION  
AND CONSEQUENCES OF FAILURE TO OBJECT**

Under 28 U.S.C. § 636(b)(1), each party to this action has the right to serve and file specific written objections in the United States District Court to the United States Magistrate Judge’s proposed findings, conclusions and recommendation within fourteen (14) days after the party has

been served with a copy of this document. The United States District Judge need only make a *de novo* determination of those portions of the United States Magistrate Judge's proposed findings, conclusions and recommendation to which specific objection is timely made. *See* 28 U.S.C. § 636(b)(1). Failure to file, by the date stated above, a specific written objection to a proposed factual finding or legal conclusion will bar a party, except upon grounds of plain error or manifest injustice, from attacking on appeal any such proposed factual findings and legal conclusions accepted by the United States District Judge. *See Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days).

**ORDER**

Under 28 U.S.C. § 636, it is hereby **ORDERED** that each party is granted **until August 31, 2022**, to serve and file written objections to the United States Magistrate Judge's proposed findings, conclusions and recommendation. It is further **ORDERED** that if objections are filed and the opposing party chooses to file a response, the response shall be filed within seven (7) days of the filing date of the objections.

It is further **ORDERED** that the above-styled and numbered action, previously referred to the United States Magistrate Judge for findings, conclusions and recommendation, be and hereby is returned to the docket of the United States District Judge.

SIGNED August 17, 2022.

  
JEFFREY L. CURETON  
UNITED STATES MAGISTRATE JUDGE